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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,884	09/24/2003	Hong-Kil Baek	11038-098-999	6002

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EXAMINER

ESHETE, ZELALEM

ART UNIT PAPER NUMBER

3748

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/670,884	Applicant(s) BAEK, HONG-KIL	
	Examiner Zelalem Eshete	Art Unit 3748	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5 and 7 is/are rejected.
- 7) ☒ Claim(s) 2,3 and 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uraki (JP06-173758) in view of Rusk et al. (3,776,299).

Uraki discloses an engine cylinder head cover comprising: a round bushing that is attachable to a shank of at least one locking bolt and having a circular inner diameter having a circular inner diameter with a hole having a diameter smaller than that of the head of the bolt (see abstract, figure 1).

Uraki fails to disclose a long hollow bushing having an oval-shaped pipe hole with an inner flat edge having a length and attachable to the shank of said at least one locking bolt, wherein the length of the flat edge is longer than a diameter of said shank.

However, Rusk teaches using round bushing and "oval-shaped" bushings with an inner flat edge attachable to "bolt" or pin wherein the length of the flat edge is longer than a diameter of the shank and hole having a diameter larger than that of the shank of the "bolt" or pin, in that it accommodates manufacturing size variations due to thermal expansion (see column 2, lines 10 to 28; column 5, lines 12 to 18).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Uraki's device by providing oval shaped bushings as taught by Rusk in order to accommodate manufacturing variations.

3. Claims 1,4,5,7 rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii et al. (6,257,188) in view of Rusk et al. (3,776,299).

Fujii discloses an engine cylinder head cover comprising: a plurality of round bushings that is attachable to a shank of at least one locking bolt and having a circular inner diameter with a hole having a diameter smaller than that of the head of the bolt (see figure 1).

Fujii fails to disclose a long hollow bushing having an oval-shaped pipe hole with an inner flat edge having a length and attachable to the shank of said at least one locking bolt, wherein the length of the flat edge is longer than a diameter of said shank designed to absorb manufacturing defects by forming a hole having a diameter larger than that of the shank of the bolt but smaller than that of the head of the bolt.

However, Rusk teaches using a round bushing and a plurality of "oval-shaped" bushings with an inner flat edge attachable to "bolt" or pin wherein the length of the flat edge is longer than a diameter of the shank and hole having a diameter larger than that of the shank of the "bolt" or pin, in that it accommodates manufacturing size variations due to thermal expansion (see column 2, lines 10 to 28). Rusk further teaches that the oblong opening can be varied (column 5, lines 12 to 18).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Fujii's device by providing oval shaped bushings with different size variations as taught by Rusk in order to accommodate manufacturing variations.

Allowable Subject Matter

4. Claims 2,3,6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zelalem Eshete whose telephone number is (703) 306-4239 or the new telephone number (571) 272-4860 effective 11/23/2004. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Denion can be reached on (703) 308-2623. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Zelalem Eshete
Examiner
Art Unit 3748

Z


THOMAS DENION
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700